

### **REMARKS**

Claims 1-56 are pending in this application.

Applicants have amended claims 1, 8, 15, 17, 24, 25, 29, 30, 36, 38, 43, 45, 52, 54, and 55. The changes to these claims do not introduce any new matter.

Applicants respectfully request reconsideration of the rejection of claims 1, 4-8, 11-18, 21, 23, 27-30, 33-39, 43-46, and 51-56 under 35 U.S.C. § 102(e) as being anticipated by *Anabuki et al.* ("*Anabuki*") (U.S. Patent No. US 6,441,913 B1). As will be explained in more detail below, the *Anabuki* reference does not disclose each and every feature specified in the claims, as amended herein.

The *Anabuki* reference discloses an image processing apparatus that is designed to maintain high image quality and to speed up image data transmission. Specifically, *Anabuki* divides the image data into first and second pieces of image data, as well as selection data, so as to carry out image structure conversion suitable for respective data properties. According to *Anabuki*, this makes it possible to reduce the amount of image data and maintain high image quality. In operation, the image processing apparatus of *Anabuki* generates composite image data using either the first piece of image data or the second piece of image data based on the selection data.

In the image processing apparatus of *Anabuki*, the color space information is placed in the header portion of the image data. This color space information is specific to an input device (or the color space information of the image data generated by the input device). As such, the color space information is equivalent to the so-called ICC profile. Further, the color space information of an output device is obtained from the output-device image-structure portion 8 included in the image processing apparatus, and is not specified by the image data (see column 7, lines 13-25 of the *Anabuki* reference). Thus, the configuration shown by

*Anabuki* is nothing but a conventionally performed color matching technique with the ICC profile.

The *Anabuki* reference fails to disclose the concept of associating color space information designating color space conversion in the image processing apparatus with image data, and the configuration shown by *Anabuki* is incapable of using image data to designate color space conversion in the image processing apparatus. The configuration shown by *Anabuki*, which follows the ICC profile technique, always needs to carry out color space conversion from an input device color space to an output device color space, and is incapable of carrying out color space conversion from an arbitrary input color space to an arbitrary output color space.

Applicants have amended independent claim 1 to specify that the image data generating apparatus includes “means for designating color space information *designating color space conversion of said image data from an input color space to an output color space* by an image processing apparatus” (emphasis added). Thus, in the configuration of the claimed subject matter, the image data designates the color space conversion to be carried out by the image processing apparatus. The configuration of the claimed subject matter is also capable of carrying out color space conversion from an arbitrary input color space to an arbitrary output color space, independent of the input device and the output device.

For the reasons set forth above, the *Anabuki* reference does not disclose a configuration in which the image data designates, as color space information, an output color space to be used by an image processing apparatus in color space conversion. As such, the *Anabuki* reference does not disclose each and every feature of claim 1, as amended herein.

Applicants have amended each of independent claims 8, 15, 17, 30, 36, 38, 43, 45, 52, 54, and 55 to include subject matter corresponding to that added herein to claim 1. As such, the *Anabuki* reference does not disclose each and every feature of claims 8, 15, 17, 30, 36, 38,

43, 45, 52, 54, and 55, as amended herein, for at least the same reasons set forth above regarding claim 1.

Shifting now to consideration of independent claims 6, 13, 28, 34, and 53, each of these claims, as originally submitted, specifies (in the context of an apparatus, a method, a system, or a computer program product) that an image data generating device designates an output color space to be used by an image processing apparatus in color space conversion, as color space information. As discussed above with regard to claim 1, the *Anabuki* reference does not disclose a configuration in which the image data designates, as color space information, an output color space to be used by an image processing apparatus in color space conversion. As such, for at least this reason, the *Anabuki* reference does not disclose each and every feature of claims 6, 13, 28, 34, and 53.

Accordingly, for at least the foregoing reasons, independent claims 8, 15, 17, 30, 36, 38, 43, 45, 52, 54, and 55, as amended herein, and independent claims 6, 13, 28, 34, and 35, as originally submitted, are patentable under 35 U.S.C. § 102(e) over *Anabuki*. The dependent claims are likewise patentable under 35 U.S.C. § 102(e) over *Anabuki* for at least the same reasons set forth above regarding the applicable independent claim.

Applicants respectfully request reconsideration of the rejection of claims 2, 3, 9, 10, 19, 20, 31, and 32 under 35 U.S.C. § 103(a) as being unpatentable over *Anabuki* in view of *Nakajima* (U.S. Patent No. US 6,650,437 B1). Each of claims 2, 3, 9, 10, 19, 20, 31, and 32 depends from one of independent claims 1, 8, 17, and 30. The deficiencies of the *Anabuki* reference relative to the claimed subject matter specified in independent claims 1, 8, 17, and 30, as amended herein, are set forth above in connection with the anticipation rejection. The *Nakajima* reference does not cure the above-discussed deficiencies of the *Anabuki* reference relative to the claimed subject matter. Accordingly, claims 2, 3, 9, 10, 19, 20, 31, and 32 are

patentable under 35 U.S.C. § 103(a) over the combination of *Anabuki* in view of *Nakajima* for at least the same reasons set forth above regarding claims 1, 8, 17, and 30.

Applicants respectfully request reconsideration of the rejection of claims 22, 26, 40-42, and 47-50 under 35 U.S.C. § 103(a) as being unpatentable over *Anabuki* in view of *Buhr et al.* (U.S. Patent No. 5,528,339). Each of dependent claims 22, 26, 40-42, and 47-50 ultimately depends from one of independent claims 17, 38, and 45. The deficiencies of the *Anabuki* reference relative to the claimed subject matter specified in independent claims 17, 38, and 45, as amended herein, are set forth above in connection with the anticipation rejection. The *Buhr et al.* reference does not cure the above-discussed deficiencies of the *Anabuki* reference relative to the claimed subject matter. Accordingly, claims 22, 26, 40-42, and 47-50 are patentable under 35 U.S.C. § 103(a) over the combination of *Anabuki* in view of *Buhr et al.* for at least the same reasons set forth above regarding claims 17, 38, and 45.

Applicants respectfully request reconsideration of the rejection of claims 16, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over *Anabuki* in view of *Parulski et al.* (U.S. Patent No. US 6,310,647 B1). Each of dependent claims 16, 24, and 25 ultimately depends from one of independent claims 15 and 17. The deficiencies of the *Anabuki* reference relative to the claimed subject matter specified in independent claims 15 and 17, as amended herein, are set forth above in connection with the anticipation rejection. The *Parulski et al.* reference does not cure the above-discussed deficiencies of the *Anabuki* reference relative to the claimed subject matter. Accordingly, claims 16, 24, and 25 are patentable under 35 U.S.C. § 103(a) over the combination of *Anabuki* in view of *Parulski et al.* for at least the same reasons set forth above regarding claims 15 and 17.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1-56, as presented herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the

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event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP006).

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, L.L.P.

A handwritten signature in black ink, appearing to read 'Peter B. Martine', with a stylized flourish at the end.

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